

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF PENNSYLVANIA**

LISA GATHERS *and* ROBERT JAHODA,

Plaintiffs,

v.

NEW YORK & COMPANY, INC.,

Defendant.

No. 2:16-cv-01375-AJS

LEAD CASE

AUDRA DEPINA *and* ROBERT JAHODA,

Plaintiffs,

v.

BURBERRY LIMITED, *a New York Corporation*,

Defendant.

No. 2:16-cv-01387-AJS

MEMBER CASE

DASHAWN HOLT *and* ROBERT JAHODA,

Plaintiffs,

v.

VANTAGE HOSPITALITY GROUP, INC.

Defendant.

No. 2:16-cv-01496-AJS

MEMBER CASE

LISA FRAZIER *and* SOPHIA MONTANO,

Plaintiffs,

v.

THE BURTON CORPORATION,

Defendant.

No. 2:16-cv-01562-AJS

MEMBER CASE

LISA FRAZIER, ACCESS NOW, INC., *and* R.  
DAVID NEW,

Plaintiffs,

v.

HSBC NORTH AMERICA HOLDINGS, INC.,

No. 2:16-cv-01665-AJS

MEMBER CASE

Defendant.

LISA FRAZIER, ACCESS NOW, INC., a not-for-profit corporation, *and* R. DAVID NEW,

Plaintiffs,

v.

GNC HOLDINGS, INC.,

Defendant.

RACHEL GNIEWKOWSKI, ACCESS NOW, INC., a not-for-profit corporation, *and* R. DAVID NEW,

Plaintiffs,

v.

PARTY CITY HOLDCO, INC.,

Defendant.

RACHEL GNIEWKOWSKI, ACCESS NOW, INC., a not-for-profit corporation, *and* R. DAVID NEW,

Plaintiffs,

v.

PETSMART, INC.,

Defendant.

No. 2:16-cv-01681-AJS

MEMBER CASE

No. 2:16-cv-01686-AJS

MEMBER CASE

No. 2:16-cv-01694-AJS

MEMBER CASE

### **JOINT STATUS REPORT**

On September 30, 2016, this Court issued an Order setting an Initial Case Management Conference for December 14, 2016 at 10:00 AM before Judge Arthur J. Schwab. This Order also directed the parties to file the following documents by December 5, 2016: (1) 26(f) Report, (2)

Proposed Case Management Order, and (3) ADR Stipulation. ECF No. 4. The parties intend to comply with this filing deadline.

In addition to ECF. No. 4, the Court issued a Text Order on November 28, 2016, providing:

TEXT ORDER - By Noon on 11/30/16, the parties shall file a Joint Status Report indicating the date(s) scheduled for mediation for each of the above cases in accordance with TEXT ORDER of 11/10/16 doc. no. 30. Signed by Judge Arthur J. Schwab on 11/28/16. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. (ms) (Entered: 11/28/2016)

ECF No. 41. Pursuant to ECF No. 41, Counsel for Plaintiff's in the above related cases provide this status update as to each action.

### **SUMMARY OF CASES**

<b>Gathers, et al v. New York &amp; Company, Inc.</b>  No. 2:16-cv-01375-AJS  LEAD CASE	<u>Defendant's Counsel</u> James S. Malloy Gregory F. Hurley Michael J. Chilleen  <u>Meet-and-Confer Date</u> November 23, 2016  <u>Mediation Date</u> December 22, 2016 with Arthur H. Stroyd
<b>Depina, et al v. Burberry Limited</b>  No. 2:16-cv-01387-AJS  MEMBER CASE	<u>Defendant's Counsel</u> James S. Malloy Gregory F. Hurley Michael J. Chilleen  <u>Meet-and-Confer Date</u> November 23, 2016  <u>Mediation Date</u> The parties have reached preliminary terms of settlement and anticipate filing a stipulation of dismissal by the date of the Initial Case Management Conference.

<p><b>Holt, et al v. Vantage Hospitality Group, Inc.</b></p> <p>No. 2:16-cv-01496-AJS</p> <p>MEMBER CASE</p>	<p><u>Defendant's Counsel</u> James S. Malloy</p> <p><u>Meet-and-Confer Date</u> November 23, 2016</p> <p><u>Mediation Date</u> December 20, 2016</p>
<p><b>Frazier, et al v. The Burton Corporation</b></p> <p>No. 2:16-cv-01562-AJS</p> <p>MEMBER CASE</p>	<p><u>Defendant's Counsel</u> Kevin M. O'Hagan</p> <p><u>Meet-and-Confer Date</u> The parties' meet-and-confer conversation is ongoing. See ECF No. 43.</p> <p><u>Mediation Date</u> The parties are in communication and will have a date by the December 5, 2016 filing deadline. See ECF No. 4.</p>
<p><b>Frazier, et al v. HSBC North America Holdings, Inc.</b></p> <p>No. 2:16-cv-01665-AJS</p> <p>MEMBER CASE</p>	<p><u>Defendant's Counsel</u> Matthew J. Louik Amy L. Groff</p> <p><u>Meet-and-Confer Date</u> The parties are in communication and are working cooperatively to schedule a meet-and-confer.</p> <p><u>Mediation Date</u> The parties are in communication and are working to provide a date by the December 5, 2016 filing deadline. See ECF No. 4.</p>
<p><b>Frazier, et al v. GNC Holdings, Inc.</b></p> <p>No. 2:16-cv-01681-AJS</p> <p>MEMBER CASE</p>	<p><u>Defendant's Counsel</u> James S. Malloy Gregory F. Hurley Michael J. Chilleen</p> <p><u>Meet-and-Confer Date</u> November 23, 2016</p>

	<u>Mediation Date</u> December 22, 2016 with Arthur H. Stroyd
<b>Gniewkowski, et al v. Party City Holdco, Inc.</b>  No. 2:16-cv-01686-AJS  MEMBER CASE	<u>Defendant's Counsel</u> Jonathan R. Harrington  <u>Meet-and-Confer Date</u> The parties are in communication and are working cooperatively to schedule a meet-and-confer.  <u>Mediation Date</u> The parties are in communication and will have an anticipated date by the December 5, 2016 filing deadline. See ECF No. 4.
<b>Gniewkowski, et al v. PetSmart, Inc.</b>  No. 2:16-cv-01694-AJS  MEMBER CASE	<u>Defendant's Counsel</u> James S. Malloy Gregory F. Hurley Michael J. Chilleen  <u>Meet-and-Confer Date</u> November 23, 2016  <u>Mediation Date</u> December 22, 2016 with Arthur H. Stroyd

Respectfully submitted,

**Counsel for Plaintiffs:**

/s/ Benjamin J. Sweet  
Benjamin J. Sweet, Esquire  
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/s/ R. Bruce Carlson  
R. Bruce Carlson, Esquire  
Stephanie K. Goldin, Esquire  
Carlson Lynch Sweet & Kilpela, LLP  
1133 Penn Avenue, 5th Floor  
Pittsburgh, PA 15222  
412-322-9243 (phone)

**Counsel for Defendant New York & Company, Inc.; Burberry Limited; GNC Holdings, Inc.; and PetSmart, Inc.:**

/s/ James S. Malloy  
James S. Malloy  
Dingess, Foster, Luciana, Davidson, &  
Chleboski, LLP  
PNC Center, Third Floor  
20 Stanwix Street  
Pittsburgh, PA 15222

412-231-0246 (fax)  
bcarlson@carlsonlynch.com  
bsweet@carlsonlynch.com  
sgoldin@carlsonlynch.com

412-926-1817 (phone)  
412-926-1801 (fax)  
jmalloy@dfllegal.com

Gregory F. Hurley  
Michael J. Chilleen  
Sheppard Mullin Richter & Hampton LLP  
650 Town Center Drive, 4th Floor  
Costa Mesa, CA 92626-1993  
714-513-5100 (phone)  
714-513-5130 (fax)  
ghurley@sheppardmullin.com  
mchilleen@sheppardmullin.com

**Counsel for Defendant Vantage Hospitality Group,  
Inc.**

/s/ James S. Malloy  
James S. Malloy

**Counsel for Defendant The Burton Corporation**

/s/ Kevin M. O'Hagan  
Kevin M. O'Hagan  
O'Hagan LLC  
One East Wacker Drive, Suite 3400  
Chicago, IL 60601  
312-422-6100 (phone)  
312-422-6110 (fax)  
kohagan@ohaganlaw.com

**Counsel for Defendant HSBC North America  
Holdings, Inc.**

/s/ Amy L. Groff  
Amy L. Groff  
Matthew J. Louik  
K&L Gates, LLP  
17 North Second Street, 18<sup>th</sup> Floor  
Harrisburg, PA 17101-1507  
max.louik@klgates.com  
amy.groff@klgates.com

**Counsel for Defendant Party City Holdco, Inc.**

/s/ Jonathan R. Harrington

Jonathan R. Harrington

Campolo, Middleton & McCormick, LLP  
4175 Veterans Memorial Highway, Suite 400  
1 Ronkonkoma, NY 11779  
[jharrington@cmmllp.com](mailto:jharrington@cmmllp.com)